

**MINUTES OF THE REGULAR BUSINESS MEETING OF THE  
GRANTSVILLE CITY COUNCIL MAY 19<sup>TH</sup>, 2004**

**Mayor and Council Present:** Mayor Byron Anderson, Council Members: Robin Baird, Wayne Butler, Todd Castagno, James Christensen, Paul Rupp.

**Appointed Officers and Employees Present:** City Recorder Wendy Palmer, Attorney Ronald Elton.

**Citizens and guests present:** Derek Ellis, Peter Peterman, Joe Cange, Alan Johnson, Lowell Hicks, Robert Gravitt, Jerry Hill, Craig Neeley, Mike Anderson (Tooele Chamber of Commerce).

**PUBLIC HEARINGS:**

- a. **The final public hearing to receive input on an Annexation Petition of 240 acres to be annexed into Grantsville City Boundary along the South Boundary:** Mayor Anderson opened the public hearing to receive comment on the proposed annexation. No comment being offered Mayor Anderson closed the public hearing at 7:01 p.m.
- b. **Consideration of zone change from A-10 to R1-12 for lots 102,103,104, 105, and 106 of the Castlewood Cove Development located at the end of Easton Court.** Attorney Elton explained that this zone change is to correct an error in a description of zoning designation. There is a small portion of land that was left as A-10. Mayor Anderson opened the public hearing to receive input on the proposed zone change. No comment being offered Mayor Anderson closed the public hearing at 7:03 p.m.

**APPROVAL OF MINUTES OF PREVIOUS MEETING:** Todd made the motion to approve the minutes of the May 5, 2004 City Council meeting as corrected. James seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF ORDINANCE FOR ANNEXATION OF 240 ACRES OF PROPERTY ALONG THE SOUTH BOUNDARY OF GRANTSVILLE CITY**

**LIMITS:** Attorney Elton stated that he made 4 different ordinances to accommodate the Council's consideration of setting a zone to the annexed parcel of property if approved. Tooele Army Depot filed a protest to the proposed annexation petition. Tooele County Attorney Doug Ahlstrom responded to the Tooele Army Depot declaring their protest to be illegal. James asked what the General Plan shows as the projected zones for this area. Attorney Elton stated that the General Plan projects this area to allow for 10 acre to one acre lot sizes. James asked what the argument from the Tooele Army Depot against the proposed annexation. Attorney Elton explained that the Army depot was concerned about encroachment on their boundary could effect their mission. Every time they get a complaint for surrounding property owners it is noted in base reduction point system. The Tooele Army depot is concerned that it will be closed if Grantsville City residents continue to get closer to their boundary they will receive more complaints and that will hasten the closure of the Depot. Wayne asked why the Tooele Army Depot's protest was deemed illegal? Attorney Elton explained that State Law specifies who can protest an

annexation petition and the Tooele Army Depot does not qualify as a legal entity that can file protest. Mayor Anderson stated that the petitioners are asking for RR-1. Robin if the Council feels that this annexation creates another octopus arm for our city? James stated that the annexation is contiguous to the city boundaries except to the eastern section. Paul asked about the land between the annexation and south street is it RR-1? James stated that the general plan calls for the zoning to be between A-10 and RR-1. Todd stated that to the west is South Willow Estates is RR-1. Todd stated that Village Green is RR-1. Recorder Palmer stated that the proposed Village Green Subdivision is still zoned A-10. So the only connection to RR-1 is to the West of the proposed annexation. The property to the east and North is zoned A-10. Wayne stated that right now we should consider it to be A-10 or table it until we can look in to it. James stated that as the zoning follows out from the north of the proposed Annexation there is the RR-5 and then A-10. There is a banding or stratification happening in this area. The developer or the petition could petition to zone that property. That way it makes the process more deliberate to hear the input from the Planning Commission and the community. We have not discussed in any of the public hearing a zone designation for this property and the process should be followed. Attorney Elton stated that one of the options is to not assign a zone to the property and instruct the applicant to go to the Planning Commission and petition for a particular zone. Todd asked if the Council needed to bring the property in as a specific zone. James stated that the intent is that the petitioner wants to combine the annexation and zone designation at the same time. James stated that if the Council zones it RR-1 then your ability for the discussion of any other issues are gone. James stated that only 20% of the property is zoned RR-1. Todd stated that the roads in South Willow Estates dead end to this property. James stated that when you change the zone you want to have the ability to have the discussion and make sure that all the options are discussed. When you zone it down your flexibility and opportunity to discuss what is best for the city is minimized. James made the motion to approve the annexation petition ordinance and send to the planning Commission to recommend a zone designation for this 240 acres of property. Paul seconded the motion. All voted in favor, motion carried. Wayne asked if this annexation was discussed to do the annexation and plating of subdivision at the same time. The City Council stated that they would only consider the annexation first and any development proposal would have to come after the completion of the annexation decision. Mayor introduced Mr. Lowell Hicks was present in the audience and he still performs for the Old Folks Sociable and at retirement dinners. Mr. Hicks stated that he entertains 1000 old people each month.

**JUDD LAWRENCE- CONSIDERATION OF PROPOSED JOINT USE OF EASEMENT FOR NORTHWEST SEWER TRENCH ALONG VEGAS STREET:**

Mr. Lawrence explained to the Council that he owns property on each side of Vegas Street. He would like to place a drainage pipe in the same trench as the sewer pipe to collect ground water for use on his fields and stock watering. Mr. Lawrence stated that he has already talked with Division of Water Rights to transfer water rights for this purpose. Engineer Craig Neeley explained that he couldn't see any problems with this proposal as long as Judd understands that if Grantsville City needs to repair the sewer line they will not be reasonable for damage to the drainage pipe. Judd agreed to this condition. Wayne made the motion to authorize the request by Judd Lawrence to install a

perforated pipe in the Vegas Street sewer trench belonging to Grantsville City, subject to approval from Tooele County for right of way within Vegas Street. Robin seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF MINOR SUBDIVISION FOR GRANTSVILLE CITY FOR LAND TO BE DONATED TO THE CITY BY JOHN CONWAY AT 520 W.**

**CLARK STREET FROM ONE LOT INTO TWO LOTS:** James explained that the lot is 500 feet along Clark Street and 80 feet along Old Lincoln Highway. As part of the agreement to donate this front portion to Grantsville City Mr. Conway would like to maintain his approved density. Mr. Conway will be placing the five trailers that were intended for this donated property into the park open space. James explained that Mr. Conway is asking for the City to install a fire hydrant in the middle of row 1. James stated that the city could do this by running the water line from Clark Street. James made the motion to approve the minor subdivision subject to the conditions set by the Planning Commission. Paul seconded the motion. All voted in favor, motion carried.

Todd commended James for the time and effort spent on obtaining this property for a park.

**CONSIDERATION OF LEGAL DOCUMENTS FOR ALAN JON SON REGARDING SOUTH WILLOWS RANCHES DEVELOPMENT:**

Mayor asked Todd Castagno the Council Liaison to the Planning Commission and Attorney Elton to guide the Council through the issues for South Willow Ranches Development. Attorney Elton explained the legal documents between Alan Johnson and John Laing Homes is an amendment to the annexation and development agreement. This amendment brings Alan Johnson's South Willow Ranches into the Development Agreement, and extends the Development Agreement for an additional seven years, and authorizes the simultaneous development of phases 3 & 4 and South Willow Ranches. This binds South Willow Ranches to the South Willow Estates Development agreement. Incorporates the agreement between John Laing Homes and South Willow Ranches for easements, access to each other, etc. These agreements become a part of the Development agreement. James asked if the Hale Street dedication of the South Willow Ranches. Attorney Elton stated that the approval of phase 1 & 2 of South Willow Ranches would need to incorporate the dedication of a right of way for Hale Street. Robin asked if the new ordinance for the outdoor water requirement is incorporated in this new agreement? Attorney Elton stated that the Development Agreement required that "adequate" water be provided. The City has adopted the new ordinance that requires enough water for the first acre to water 60% of the property and 64% of the second acre. Robin asked if the City that needs to be has adopted any new ordinances addressed in the development agreements that were not included in the original document. Attorney Elton stated that any new subdivision must have two points of ingress/egress. By improving Quirk Street this will correct this deficiency that exists in South Willow Estates. Derek Ellis stated that the Grantsville Irrigation Company has approved the water allotment for South Willow Estates. Attorney Elton informed Mr. Ellis that the City ordinance overrides the requirements of the Irrigation Company. Your water requirement will need to be approved by Grantsville City.

